IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

WP(C).No. 15785 of 2006(D)

PETITIONER:

P.GODAVARMAN THAMPURAN,
PAKKATTU MADHOM, (JAYA VILAS),
P.O.CHERUVALOOR, VIA KORATTY,
THRISSUR DISTRICT.

BY ADV. SRI.P.RAVINDRAN

RESPONDENTS:

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1. THE DIRECTOR OF PUBLIC INSTRUCTION,
KERALA, THIRUVANANTHAPURAM.

2. THE ASSISTANT EDUCATIONAL OFFICER,
CHALAKUDY.

3. PRESIDENT, MUKUNDAPURAM TALUK,
N.S.S. UNIT, IRINJALAKUDA, THRISSUR DISTRICT.

R1 & R2 BY GOVT. PLEADER SMT. M.R. SREELATHA.
R3 BY ADV. SRI.T.K.VENUGOPALAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.15785 OF 2006

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Dated this the 21st day of March, 2007

JUDGMENT

Petitioner challenges Ext.P5. Ext.P5 is apparently passed pursuant to Ext.P1 judgment. In Ext.P1 judgment there was a direction to hear the petitioner. Complaint of the petitioner apparently is that petitioner was not heard before Ext.P5 was passed.

2. Heard counsel for the petitioner and learned counsel appearing on behalf of the third respondent besides the Government Pleader. Petitioner has relied on Exts.P2, P2(a), P3 and P4 to contend that petitioner received the notice stating that hearing is to take place on 25.3.2006 only on 25.3.2006. In such circumstances, I feel that opportunity of hearing has been denied to the petitioner.

In such circumstances, Ext.P5 is quashed for the reason that petitioner was not heard and the first respondent will consider the matter afresh and take a decision in accordance with law with an opportunity of hearing to the petitioner, the third respondent and all the other affected parties within a period of two months from the date of

receipt of a copy of this judgment.

The writ petition is disposed of as above.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.